

SENATE BILL 2320

By Harper

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 3, Part 6, relative to violations of orders of
protection, restraint orders or court approved
consent decrees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-3-612, is amended by designating the existing language of subsection (a) as (a)(1) and by adding the following new subsection (a)(2):

(2) Notwithstanding the provisions of this subsection, no person shall be arrested for the violation of an order of protection, restraining order or court-approved consent agreement unless the person to be arrested engaged in conduct or failed to engage in conduct knowing that such conduct was a violation of the order or consent agreement. If the conduct of another resulted in the person unknowingly being in violation of the order or consent agreement, such a violation shall not be sufficient grounds for the arrest of the person pursuant to this section.

SECTION 2. Tennessee Code Annotated, Section 36-3-612, is amended by designating the present language of subsection (b) as (b)(1) and by adding the following new (b)(2):

(2) In order for the court to find the person arrested in contempt for violation of the order of protection, restraining order or court-approved consent agreement, the court must find, at the conclusion of the hearing, that the person charged with contempt engaged in conduct knowing that such conduct was a violation of the order or consent agreement.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.